



Signed: November 01, 2010

A handwritten signature of Randall J. Newsome in black ink, written over a horizontal line.

RANDALL J. NEWSOME  
U.S. Bankruptcy Judge

1 Ja Vonne M. Phillips, Esq. SBN 187474  
2 Joseph Chun, Esq. SBN 240208  
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8 Attorney for: Secured Creditor,  
9 Saxon Mortgage Services, Inc.,  
10 it assignees and/or successors  
11  
12  
13  
14

11 UNITED STATES BANKRUPTCY COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 OAKLAND DIVISION  
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15 In re:

16 Johnny Laroya Pacle  
17 Alma Cabotage Pacle,

18 Debtors.

) Case No. 10-47426 N

)

) Chapter 13

)

) RS No. JC-5778

)

) **ORDER ON MOTION FOR RELIEF**  
) **FROM AUTOMATIC STAY**

)

) Date: 10/27/2010

) Time: 10:30 AM

) Ctrm: 220

) Place: 1300 Clay Street

)

) Oakland, CA

)

) Judge: Randall J. Newsome

)

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26 The motion of Secured Saxon Mortgage Services, Inc., its assignees and/or successors,  
27 for relief from the automatic stay came on regularly for hearing by the Court on the date, time  
28 and place set forth above, before the Honorable Randall J. Newsome. Movant, appeared by and  
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1 through its Attorney of Record, McCarthy & Holthus, LLP by Joseph Chun, Esq.. All other  
2 appearances are as noted in the court record.

3 Upon reading the papers and pleadings on file herein, and upon hearing oral argument  
4 and based on the evidence presented, the Court rules as follows:

5 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the automatic stay  
6 provisions of 11 U.S.C. § 362 be and are hereby terminated with respect to the interests of  
7 Movant, Saxon Mortgage Services, Inc., its assignees and/or successors, in the real property  
8 commonly known as 10361 Montana Mountain Street, Las Vegas, NV 89123.

9 IT IS FURTHER ORDERED that Movant may complete its foreclosure of said real  
10 property and proceed with post-foreclosure remedies, including any unlawful detainer action, in  
11 accordance with applicable law.

12 IT IS FURTHER ORDERED Movant, at its option, may offer, provide and enter into any  
13 potential forbearance agreement, loan modification, refinance agreement or other loan  
14 workout/loss mitigation agreement as allowed by state law. The Movant may contact the Debtor  
15 via telephone or written correspondence to offer such an agreement. Any such agreement shall  
16 be non-recourse unless included in a reaffirmation agreement.

17 IT IS FURTHER ORDERED that this Order shall be binding and effective despite any  
18 conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United  
19 States Code.

20 IT IS FURTHER ORDERED The fourteen day stay described in Bankruptcy Rule  
21 4001(a)(3) is waived upon relief.

22 IT IS FURTHER ORDERED that Movant may contact the Debtor to comply with  
23 California Civil Code Section 2923.5.

24  
25  
26 **\*\* END OF ORDER \*\***  
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28  
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**COURT SERVICE LIST**

**DEBTOR**

Alma Cabotage Pacle  
4830 Garnet Common  
Fremont, CA 94555

**SPECIAL NOTICE**

Fremont Bank  
c/o Terrance L. Stinnett, Esq  
39150 Fremont Boulevard, 3rd Floor  
Fremont, CA 94538

**DEBTOR**

Johnny Laroya Pacle  
4830 Garnet Common  
Fremont, CA 94555